



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION IX
75 Hawthorne Street
San Francisco, CA 94105-3901

May 16, 2011

David Tilley
City of West Sacramento
Community Development Department
1110 West Capitol Avenue, 2nd Floor
West Sacramento, CA 95691

Subject: Draft Environmental Impact Report / Environmental Impact Statement (DEIS) for the West Coast Recycling Group Metal Recycling Facility Project, Yolo County, California, March 2011 (CEQ# 20110089)

Dear Mr. Tilley:

The U.S. Environmental Protection Agency (EPA) has reviewed the above project pursuant to the National Environmental Policy Act (NEPA), Council on Environmental Quality (CEQ) regulations (40 CFR Parts 1500-1508), and our NEPA review authority under Section 309 of the Clean Air Act.

We commend the City of West Sacramento, acting on behalf of the Department of Housing and Urban Development, and the project proponent for proposing to: capture and reuse stormwater from the site in the shredding process, limiting discharges of stormwater to large storm events; include an electric shredder as part of the proposed action, substantially reducing operating air emissions; site the facility at a Brownfield location; and employ screening criteria to prevent mercury switches, lead, and other toxic material from entering the recycling stream.

While EPA acknowledges the benefits of steel and scrap metal recycling, local jobs, and a reduction in truck traffic from Sacramento auto dismantlers and scrap metal yards to Bay Area recyclers, we have some concerns about the proposed project. We recommend the City of West Sacramento reevaluate the applicability of California's Drayage Truck Regulations, quantify emissions of sulfur oxides, and consider voluntary measures to reduce construction emissions. In light of these concerns, we have rated the DEIS as *Environmental Concerns – Insufficient Information* (EC-2). Please see the enclosed "Summary of EPA Rating Definitions" and detailed comments.

We appreciate the opportunity to review this DEIS. When the Final Environmental Impact Statement (FEIS) is published, please send a copy to the address above (Mail Code: CED-2). If you have any questions, please contact me at (415) 972-3521 or contact Tom Kelly, the lead reviewer for this project, at (415) 972-3856 or kelly.thomasp@epa.gov.

Sincerely,

A handwritten signature in dark ink, appearing to read "Kathleen Martyn Goforth".

Kathleen Martyn Goforth, Manager
Environmental Review Office

Enclosures: Summary of EPA Rating System
EPA's Detailed Comments

**cc: Earnest Mullins, Department of Housing and Urban Development
Matt Jones, Yolo Solano Air Quality Management District
Karen Huss, Sacramento Metropolitan Air Quality Management District
John Gruszecki, California Air Resources Board**

SUMMARY OF EPA RATING DEFINITIONS*

This rating system was developed as a means to summarize the U.S. Environmental Protection Agency's (EPA) level of concern with a proposed action. The ratings are a combination of alphabetical categories for evaluation of the environmental impacts of the proposal and numerical categories for evaluation of the adequacy of the Environmental Impact Statement (EIS).

ENVIRONMENTAL IMPACT OF THE ACTION

"LO" (Lack of Objections)

The EPA review has not identified any potential environmental impacts requiring substantive changes to the proposal. The review may have disclosed opportunities for application of mitigation measures that could be accomplished with no more than minor changes to the proposal.

"EC" (Environmental Concerns)

The EPA review has identified environmental impacts that should be avoided in order to fully protect the environment. Corrective measures may require changes to the preferred alternative or application of mitigation measures that can reduce the environmental impact. EPA would like to work with the lead agency to reduce these impacts.

"EO" (Environmental Objections)

The EPA review has identified significant environmental impacts that should be avoided in order to provide adequate protection for the environment. Corrective measures may require substantial changes to the preferred alternative or consideration of some other project alternative (including the no action alternative or a new alternative). EPA intends to work with the lead agency to reduce these impacts.

"EU" (Environmentally Unsatisfactory)

The EPA review has identified adverse environmental impacts that are of sufficient magnitude that they are unsatisfactory from the standpoint of public health or welfare or environmental quality. EPA intends to work with the lead agency to reduce these impacts. If the potentially unsatisfactory impacts are not corrected at the final EIS stage, this proposal will be recommended for referral to the Council on Environmental Quality (CEQ).

ADEQUACY OF THE IMPACT STATEMENT

"Category 1" (Adequate)

EPA believes the draft EIS adequately sets forth the environmental impact(s) of the preferred alternative and those of the alternatives reasonably available to the project or action. No further analysis or data collection is necessary, but the reviewer may suggest the addition of clarifying language or information.

"Category 2" (Insufficient Information)

The draft EIS does not contain sufficient information for EPA to fully assess environmental impacts that should be avoided in order to fully protect the environment, or the EPA reviewer has identified new reasonably available alternatives that are within the spectrum of alternatives analysed in the draft EIS, which could reduce the environmental impacts of the action. The identified additional information, data, analyses, or discussion should be included in the final EIS.

"Category 3" (Inadequate)

EPA does not believe that the draft EIS adequately assesses potentially significant environmental impacts of the action, or the EPA reviewer has identified new, reasonably available alternatives that are outside of the spectrum of alternatives analysed in the draft EIS, which should be analysed in order to reduce the potentially significant environmental impacts. EPA believes that the identified additional information, data, analyses, or discussions are of such a magnitude that they should have full public review at a draft stage. EPA does not believe that the draft EIS is adequate for the purposes of the NEPA and/or Section 309 review, and thus should be formally revised and made available for public comment in a supplemental or revised draft EIS. On the basis of the potential significant impacts involved, this proposal could be a candidate for referral to the CEQ.

*From EPA Manual 1640, Policy and Procedures for the Review of Federal Actions Impacting the Environment.

U.S. EPA DETAILED COMMENTS ON THE DRAFT ENVIRONMENTAL IMPACT REPORT / ENVIRONMENTAL IMPACT STATEMENT FOR THE WEST COAST RECYCLING GROUP METAL RECYCLING FACILITY PROJECT. MAY 16, 2011 (CEQ# 201100089)

Air Quality

Drayage Trucks

The DEIS states that the California Air Resources Board's (CARB's) Drayage Truck Regulation does not apply to the proposed project (p. 3.2-21). CARB's regulation, at Section 2027(c)(15), states, "'Drayage Truck' means any in-use on-road vehicle with a gross vehicle weight rating greater than 33,000 pounds operating on or transgressing through port or intermodal rail yard property for the purpose of loading, unloading or transporting cargo, such as containerized, bulk or break-bulk goods." Since the facility would be located at the Port of West Sacramento and plans to deliver processed steel to ships (p. ES-1), these regulations may apply to trucks traveling to and from the facility. We encourage the project proponent to discuss this with CARB.

Recommendation:

The FEIS should either clarify the reason that the drayage truck regulations do not apply to trucks traveling to and from the facility, discuss the facility's compliance with this rule, or work with the Port of West Sacramento to apply for an exemption from this rule.

Emissions of Sulfur Oxides

The DEIS includes estimated operational emissions in Table 3.2-5b. The table shows that the project would reduce particulate matter emissions less than 10 microns (PM10) and less than 2.5 microns (PM2.5), and increase nitrogen oxides and reactive organic gasses. Much of these changes would result from an increase in marine emissions from ocean-going vessels (marine trips). For particulate matter, the reduction in the number of truck trips, from hauling scrap steel to more distant facilities, results in a net reduction. In comparison to trucks, ocean-going vessels have higher emissions of sulfur oxides (SOx); however, these data are not included in Table 3.2-5b.

Recommendation:

The FEIS should include estimates of emissions of sulfur oxides.

Voluntary Construction Emissions Reduction

As the DEIS notes, Yolo County is part of Sacramento Metropolitan Air Basin, which is in severe nonattainment with 8-hour ozone National Ambient Air Quality Standards (NAAQS). The DEIS does not mention that the County and Air Basin are also considered severe nonattainment for 1-hour ozone NAAQS. Additionally, while Yolo County is in attainment with the PM10 NAAQS, the West Sacramento project location is in close proximity, and mostly upwind, from Sacramento County, which is in moderate nonattainment with PM10 standards. Therefore, EPA recommends that the following

mitigation measures be included in a Construction Emissions Mitigation Plan to reduce impacts associated with emissions of particulate matter (PM) and other toxics from construction-related activities:

Fugitive Dust Source Controls:

- Stabilize open storage piles and disturbed areas by covering and/or applying water or chemical/organic dust palliative where appropriate. This applies to both inactive and active sites, during workdays, weekends, holidays, and windy conditions.
- Install wind fencing and phase grading operations where appropriate, and operate water trucks for stabilization of surfaces under windy conditions.
- When hauling material and operating non-earthmoving equipment, prevent spillage and limit speeds to 15 miles per hour (mph). Limit speed of earth-moving equipment to 10 mph.

Mobile and Stationary Source Controls:

- If practicable, lease new, clean (diesel or retrofitted diesel) equipment meeting the most stringent of applicable Federal¹ or State Standards². In general, commit to the best available emissions control technology. Tier 4 engines should be used for project construction equipment to the maximum extent feasible³. Lacking availability of non-road construction equipment that meets Tier 4 engine standards, the FEIS should commit to using the best available emissions control technologies on all equipment.
- Maintain and tune engines per manufacturer's specifications to perform at EPA certification levels, where applicable, and to perform at verified standards applicable to retrofit emissions control technologies. Employ periodic, unscheduled inspections to limit unnecessary idling and to ensure that construction equipment is properly maintained, tuned, and modified consistent with established specifications. The California Air Resources Board has a number of mobile source anti-idling requirements which could be employed. See their website at: <http://www.arb.ca.gov/msprog/truck-idling/truck-idling.htm>.
- Prohibit any tampering with engines and require continuing adherence to manufacturer's recommendations.
- Utilize EPA and CARB-registered particulate traps and other appropriate controls where suitable to reduce emissions of diesel particulate matter and other pollutants at the construction site.

Administrative controls:

- Identify all commitments to reduce construction emissions and update the air quality analysis to reflect additional air quality improvements that would result from adopting specific air quality measures.

¹ EPA's website for nonroad mobile sources is <http://www.epa.gov/nonroad/>.

² For ARB emissions standards, see: <http://www.arb.ca.gov/msprog/offroad/offroad.htm>.

³ Diesel engines < 25 hp rated power started phasing in Tier 4 Model Years in 2008. Larger Tier 4 diesel engines will be phased in depending on the rated power (e.g., 25 hp - <75 hp: 2013; 75 hp - < 175 hp: 2012-2013; 175 hp - < 750 hp: 2011 - 2013; and \geq 750 hp 2011- 2015).

- Identify where implementation of mitigation measures is rejected based on economic infeasibility.
- Prepare an inventory of all equipment prior to construction and identify the suitability of add-on emission controls for each piece of equipment before groundbreaking. (Suitability of control devices is based on: whether there is reduced normal availability of the construction equipment due to increased downtime and/or power output, whether there may be significant damage caused to the construction equipment engine, or whether there may be a significant risk to nearby workers or the public.) Meet EPA diesel fuel requirements for off-road and on-highway, and where appropriate use alternative fuels such as natural gas and electric.
- Develop construction traffic and parking management plan that minimizes traffic interference and maintains traffic flow.

Voluntary Operational Emissions Reduction

As previously mentioned, the DEIS asserts that CARB's Drayage Truck Regulations do not apply to trucks traveling to and from the facility. If that is correct, EPA recommends consideration of the *Mobile and Stationary Source Controls*, mentioned above under Voluntary Construction Emissions Reduction, to reduce operational air emissions. The facility is likely to operate or lease a fleet of trucks to haul auto shredder residue, providing an opportunity to purchase or contract for the cleanest-operating available trucks.

EPA further encourages consideration of additional voluntary measures to reduce fuel use and pollution from the truck fleet through practical steps such as aerodynamic fairings and automatic tire inflation controls. EPA assists trucking companies to reduce fuel and pollution by providing tools and resources through the Smart Way program (<http://www.epa.gov/smartwaylogistics/index.htm>). The website includes a list of SmartWay partners, truck and rail carriers, that actively work with EPA to make cleaner and more fuel efficient transportation options.

